

**MICHIGAN DEPARTMENT OF AGRICULTURE
PESTICIDE AND PLANT PEST MANAGEMENT DIVISION
EMERALD ASH BORER INTERIOR QUARANTINE
(Revised July 15, 2004)**

WHEREAS, the Director, Michigan Department of Agriculture, having found that an exotic pest, known as the emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*, has been detected in this state and has a limited distribution at this time; and

WHEREAS the emerald ash borer has been found infesting and killing ash, *Fraxinus* spp. trees in certain counties and townships, and

WHEREAS, ash trees are a valuable resource for the nursery, landscaping and timber industries in Michigan; and

WHEREAS, ash trees represent a significant component of the natural environment in Michigan; and

NOW, THEREFORE, the Director of the Michigan Department of Agriculture by the authority of Act No. 72 of the Public Acts of 1945, as amended, and Quarantine Regulation No. 620, does promulgate this quarantine to prevent the further spread of this pest and sets forth: definitions, regulated articles, regulated areas, conditions of movement, violations and penalties, and special exemptions. This revised quarantine shall become effective immediately and will remain in effect until rescinded by the Director.

I. DEFINITIONS.

The following terms shall be construed to mean:

- (A) **DIRECTOR** means the Director of the Michigan Department of Agriculture or his or her authorized representative.
- (B) **INSPECTOR** means an employee of the Department of Agriculture authorized to enforce the provisions of this quarantine.
- (C) **INFESTATION** means the presence of the ash borer or the existence of the circumstances that make it reasonable to believe that the ash borer is present.
- (D) **CERTIFICATE** and **CERTIFICATE OF INSPECTION** mean a document issued or authorized to be issued by the Director, including state-issued certificates of quarantine compliance, state phytosanitary certificates and multiple-use quarantine certificates, to allow the movement of regulated articles to any destination.
- (E) **COMPLIANCE AGREEMENT** means a written agreement between a person moving regulated articles and the Department of Agriculture wherein the former agrees to comply with the requirements of the agreement.
- (F) **PERSON** means an individual, society, association, partnership, corporation or other organized entities.
- (G) **MOVED (MOVE, MOVEMENT)** means shipped, offered for shipment, received for transportation, transported, carried, or allowed to be moved or shipped.

II. REGULATED ARTICLES.

- (A) The emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*, in any living stage of development.
- (B) Entire ash (*Fraxinus* spp.) trees.
- (C) Ash limbs and branches.
- (D) Ash logs or untreated ash lumber with bark attached.
- (E) Uncomposted ash chips and uncomposted ash bark chips larger than 1 inch in diameter.

- (F) Any article, product or means of conveyance when it is determined by the Director to present the risk of spread of the emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*.
- (G) Any cut firewood of any species originating from regulated areas

III. REGULATED AREAS.

The counties and portions of counties as listed below are designated as regulated areas, based on the confirmed presence of emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*. In addition any county or portion thereof where the presence of emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis* is confirmed in the future, shall be considered a regulated area. The Director may designate as regulated any area where the presence of emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*, has been confirmed. Thereafter, the movement of any regulated article from an area designated as a quarantined area will be subject to this quarantine. As soon as practicable, this area will be added to the list in this quarantine and the Director will post an update to the official listing of all regulated areas on the Michigan Department of Agriculture web site located at www.michigan.gov/mda. A current printed listing will also be available upon request at all Michigan Department of Agriculture Regional offices and through the Michigan Department of Agriculture Pesticide and Plant Pest Management Division Lansing Office P.O. Box 30017 Lansing, Michigan 48909, (517)373-1087.

Berrien Co.

Quarantine Boundary - Berrien Co. St. Joseph area

That area in St. Joseph Twp., the city of St. Joseph, the Village of Shoreham and Benton Twp. in Berrien Co. that is bounded as follows: Beginning at the intersection of Interstate 94 and Maiden Lane; then west along Maiden Lane to where it intersects Red Arrow Highway; then continuing west along an imaginary line to Lake Michigan, passing at the south edge of properties known as Sunset Shores, Woodgate by the Lake, The Shores North and Shoreham Condominiums; then northeasterly along the Lake Michigan shoreline to the mouth of the St. Joseph River; then easterly along the southern shoreline of the St. Joseph River and continuing southeasterly along the west channel shoreline to a point opposite of West May St.; then east along an imaginary line across the St. Joseph River to West May St.; then east along West May St. to Windsor Rd.; then south and east along Windsor Rd. to the intersection of Colfax Ave.; then south along Colfax and continuing south along an imaginary line to Interstate 94 near Hollywood Rd.; then southwesterly along Interstate 94 to the point of beginning.

Branch Co.

Quarantine Boundary – Branch Co. Quincy area

That area in the city of Coldwater, Coldwater Twp., Quincy Twp., Ovid Twp. and Algansee Twp. in Branch Co. that is bounded as follows: Beginning at the intersection of State Rd. and North Briggs Rd., then south along North Briggs Rd. to East Central Rd.; then west along East Central Rd. to North Wood Rd.; then north on North Wood Rd. to Dorrance Rd.; the west on Dorrance Rd. to North Fiske Rd.; then north on North Fiske Rd. to State Rd.; then east along State Rd. to the point of beginning.

Calhoun Co.

Quarantine Boundary – Calhoun Co. Albion area

That area in Albion Twp., the city of Albion and Sheridan Twp. in Calhoun Co. that is bounded as follows: Beginning at the intersection of 27 Mile Rd and D Drive North; then east along D Drive North to the point where it intersects the Calhoun Co.-Jackson Co. boundary line; then south along an imaginary line to D Drive South; then west along D Drive South to 25 1/2 Mile Rd, then northeast along 25 1/2 Mile Rd to B Drive South; then continuing west along B Drive South to the north portion of 25 1/2 Mile Rd; then north along 25 1/2 Mile Rd. to B Drive North; then east along B Drive North to 26 1/2 Mile Rd.; then north along 26 1/2 Mile Rd. to C Drive

North; then east along C Drive North to 27 Mile Rd.; then north along 27 Mile Rd. to the point of beginning.

Quarantine Boundary – Calhoun Co. Marshall area

That area in Marshall Twp. and the city of Marshall in Calhoun Co. that is bounded as follows: Beginning at the intersection of F Drive North and 15 mile Rd.; then south along 15 mile Rd. to where it ends at C Drive North; then continuing south along an imaginary line to A Drive North; then east along A Drive North and continuing along West Hughes St. past Interstate 69 to the intersection of South Kalamazoo St./M-227; then north along South Kalamazoo St./M-227 past business loop 94 and continuing north along that same street to where it becomes Old US 27 North; then continuing north along Old US-27 North to the intersection of F Drive North; then east along F Drive North to the point of beginning.

Eaton Co.

Quarantine Boundary – Eaton Co. Delta Twp. area

That area in Delta Twp. in Eaton Co. that is bounded as follows: Beginning at the intersection of Nixon Rd. and Willow Hwy; then east along Willow Hwy. to North Canal Rd.; then south along North Canal Rd. to East Saint Joseph Hwy.; then west along East Saint Joseph Hwy. to Upton Rd.; then north along Upton Rd. to East Saginaw Hwy.; then west along East Saginaw Hwy. to Nixon Rd.; then north to the point of beginning.

Quarantine Boundary - Eaton Co. Potterville area

That area in Benton Twp., Eaton Twp. and the city of Potterville in Eaton Co. that is bounded as follows: Beginning at the intersection of Otto Rd. and East Gresham Hwy; then east along East Gresham Hwy. to North Royston Rd.; then south along North Royston to Interstate 69; then continuing south along an imaginary line to the intersection of Vermontville Rd. and the southern portion of North Royston Rd.; then continuing south along North Royston to Packard Hwy; then west along Packard Hwy. to Otto Rd.; then north along Otto Rd. to the point of beginning.

Genessee Co. - the entirety

Ingham Co. – the entirety

Jackson Co. – the entirety

Kent Co.

Quarantine Boundary – Kent Co. Kentwood/Wyoming area

That area in the city of Kentwood, the city of Wyoming, Byron Twp. and Gaines Twp. in Kent Co. that is bounded as follows: Beginning at the intersection of 36th St. SW and Byron Center Ave. SW; then east along 36th St. SW, past US 131, and continuing along 36th St. SE then 36th St. SW to Eastern Ave. SE; then south along Eastern Ave. SE to 68th St. SW; then west along 68th St. SW past US 131 to Burlingame Ave. SW; then north along Burlingame Ave. SW to 64th St. SW; then west along 64th St. SW to Byron Center Ave. SW; then north along Byron Center Ave. SW to the point of beginning.

Lapeer Co. – the entirety

Lenawee Co. – the entirety

Livingston Co. - the entirety

Macomb Co.- the entirety

Monroe Co.- the entirety

Oakland Co.- the entirety

Roscommon Co.

Quarantine Boundary - Roscommon Co. St. Helen area

That area in Richfield Twp. in Roscommon Co. that is bounded as follows: Beginning at the intersection of Marl Lake Rd. and North St. Helen Rd.; then south to the intersection of School Rd.; then easterly along School Rd. to Meridian Rd.; then south on Meridian Rd. to Carter Lake

Rd.; then west on Carter Lake Rd. to M-76; then south on M-76 to Interstate 75; then west along Interstate 75 to where it intersects Maple Valley Rd.; then north along Maple Valley Rd. to the shore of Lake St. Helen; then continuing north along an imaginary line across the lake to a point on the shoreline; then east along the south boundary of Section 18 to where it intersects Moore Rd.; then northerly along Moore Rd. to Marl Lake Rd.; then east on Marl Lake Rd. to the point of beginning.

Saginaw Co.

Quarantine Boundary – Saginaw Co. St. Charles area

That area in St. Charles Twp., the Village of St. Charles, Brant Twp. and Thomas Twp. in Saginaw Co. that is bounded as follows: Beginning at the intersection of South Raucholz Rd. and Marion Rd.; then east along Marion Rd. to where it intersects M-52; then continuing east along an imaginary line to West Birch Run Rd.; then continuing east to Turner Rd.; then north along Turner Rd. to Ryan Rd. then continuing north along an imaginary line to the boundary line between St. Charles and James Twp.; then west along an imaginary line to West Townline Rd.; then continuing west along West Townline Rd. to South Raucholz Rd.; then south along South Raucholz Rd. to the point of beginning.

Quarantine Boundary – Saginaw Co. Shields area

That area in Thomas Twp. in Saginaw Co. that is bounded as follows: Beginning at the intersection of Kennely Rd. and Geddes Rd.; then east along Geddes Rd. to North River Rd.; then southerly along North River Rd. and continuing along South River Rd. to Dutch Rd.; then west along Dutch Rd. to South Miller Rd.; then south along South Miller Rd. to Ederer Rd.; then west along Ederer Rd. to Van Wormer Rd; then northerly along Van Wormer Rd. to Gratiot Rd.(M46); then west along Gratiot Rd. (M46) to Kennely Rd.; then north, west and then north again along Kennely Rd. to the point of beginning.

Saint Clair Co.- the entirety

Shiawassee Co.- the entirety

Washtenaw Co.- the entirety

Wayne Co.- the entirety

IV. CONDITIONS OF MOVEMENT OF REGULATED ARTICLES.

(A) Movement of the regulated articles from any regulated area to any destination outside the regulated area is prohibited, except under the following conditions:

1. A thorough examination of all regulated articles and treatment methods must take place. A certificate of inspection may be issued based upon the determination by the inspector, grower, or shipper authorized to conduct such inspection under a Compliance Agreement, that no life stages of emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis* are present; based on conditions or treatments administered in accordance with methods approved by the Director.

2. The certificate of inspection shall be attached to the regulated articles, and shall remain on the regulated articles until such articles reach their final destination, except when the certificate of inspection is attached to the shipping document and the regulated article is adequately described on the shipping document or on the certificate of inspection.

(B) All regulated articles originating outside the regulated area may move through the regulated area without a certificate of inspection for this pest, under the following conditions:

1. Passage through the regulated area is made during the period of September 1 through April 30 or when the ambient air temperature is below 40 degrees F. and passage is made without stopping except to refuel or for traffic conditions; or during the period of May 1 through August 31 when the temperature is 40 degrees F. or higher if the articles are shipped in an enclosed vehicle or is completely enclosed by a covering adequate to prevent access by the emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*.
 2. The point of origin of the regulated article must be indicated on the bill of lading or shipping documents.
- (C) Regulated articles originating outside any regulated area which are moved into the regulated area and exposed to potential infestation by emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*, shall be considered to have originated from a regulated area. These regulated articles may only be moved from the regulated area under the conditions noted in IV (A) above.
- (D) Movement of regulated articles from any regulated area through any non-regulated area to a regulated destination is prohibited without a certificate of inspection for this pest, except under the following conditions:
1. Passage through a non-regulated area is made during the period of Sept. 1 through April 30 and the passage is made without stopping except for refueling or for traffic conditions; or during the period of May 1 through August 31 if the articles are shipped in an enclosed vehicle or completely enclosed by a covering adequate to prevent the escape of any emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*
 2. The county and state of origin and the final destination of the regulated articles must be indicated on the bill of lading or shipping documents.
- (E) The bill of lading or shipping documents accompanying any shipment of regulated articles within or through Michigan shall indicate the county and state of origin of the regulated articles.
- (F) The sale and movement of all ash nursery stock within, out of or into Michigan's Lower Peninsula is prohibited. This area consists of those 68 contiguous Michigan counties lying between the Michigan-Indiana/Ohio state line to the south and the northernmost point of Emmett County to the north.
- (G) There exists a core area, which as the result of survey information, is considered generally infested with emerald ash borer. Movement of regulated articles from areas within the core area into any other area is prohibited, except as noted in section IV (A) above. The following counties and townships define this core area:
- Genessee Co.: Argentine, Atlas, Clayton, Davison, Fenton, Flint, Gaines, Grand Blanc and Mundy townships including all cities and villages within the boundaries of these townships; and, including the entire City of Flint.
- Ingham Co.: Leroy, Locke, Stockbridge and White Oak townships including all cities and villages within the boundaries of these townships.
- Jackson Co.: Blackman, Columbia, Grass Lake, Henrietta, Leoni, Liberty, Napoleon, Norvell, Rives, Summit and Waterloo townships including all cities and villages within the boundaries of these townships.

Lapeer Co.: Almont, Attica, Dryden, Elba, Hadley, Imlay, Lapeer and, Metamora townships including all cities and villages within the boundaries of these townships; and, including the entire City of Lapeer.

Livingston Co.: the entire county including all cities and villages within the boundaries of the county.

Macomb Co.: the entire county including all cities and villages within the boundaries of the county.

Monroe Co.: the entire county including all cities and villages within the boundaries of the county.

Oakland Co.: the entire county including all cities and villages within the boundaries of the county.

Washtenaw Co.: the entire county including all cities and villages within the boundaries of the county.

Wayne Co.: the entire county including all cities and villages within the boundaries of the county.

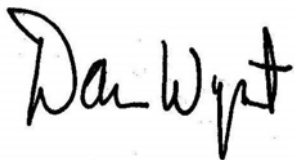
For restriction on the movement of all ash nursery stock see section IV (F) above.

V. VIOLATIONS AND PENALTIES.

- (A) Any regulated article from the quarantined area, moved within Michigan in violation of this quarantine shall be removed from the non-regulated area immediately or destroyed at the expense of the owner or owners, under the direction of the Director.
- (B) Any violation of this quarantine is subject to the full authority of Act No. 72, Public Acts of 1945, as amended.

VI. SPECIAL EXEMPTIONS.

- (A) The Director may allow, with written approval, the movement of emerald ash borer, Coleoptera: Buprestidae: *Agrilus planipennis*, into or within Michigan for research purposes.
- (B) Uncomposted ash chips and uncomposted ash bark chips 1 inch and smaller in diameter are not considered to be regulated articles under this quarantine and therefore are exempt from the conditions of movement prescribed.



Dan Wyant, Director